

**COMMONWEALTH OF VIRGINIA
Department of Environmental Quality
Southwest Regional Office**

STATEMENT OF LEGAL AND FACTUAL BASIS

Jewell Coke Company, L.P.
Vansant, Virginia - Buchanan County
Permit No. SWRO10200

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Jewell Coke Company received a Title V Operating Permit for its Vansant, Virginia facility on October 2, 2002.

(as modified 03/03/2003)

Engineer/Permit Contact:_____ Date:_____

Air Permit Manager:_____ Date:_____

Deputy Regional Director:_____ Date:_____

FACILITY INFORMATION

Permittee

Mr. Barry H. Rosenberg
Treasurer
Jewell Coke Company, L.P.
Ten Penn Center
27th Floor
1801 Market Street
Philadelphia, PA 19103-1699

Facility

Jewell Coke Company, L.P.
U.S. 460 West
P.O. Box 70
Vansant, VA 24656

NET ID No. 027-0004

SOURCE DESCRIPTION

SIC Code: 3312 - Non-recovery metallurgical coke production.

Jewell Coke Company, L.P., is a non-recovery, metallurgical coke production facility located at the junction of Route 460 and Route 638 on Dismal River in Buchanan County, Virginia.

Coal is transferred from storage, crushed if necessary, and charged to the coke ovens via open and enclosed belts and conveyors. These ovens use non-recovery coking technology which involves using the volatile fraction driven off the coal as fuel for carbonization, producing heat, carbon dioxide and water vapor.

The facility is a Title V major source of particulate matter (PM), sulfur dioxide (SO₂), and nitrogen oxides (NO_x) emissions. This source is located in an attainment area for all pollutants. The facility was previously permitted under a Minor NSR Permit issued on June 12, 2002.

On October 28, 2002, Jewell Coke Company requested a clarification to the visible emissions monitoring requirements in Sections V.B.2, VI.B.1., VI.B.2., and VI.B.3. This permit is being modified to address this clarification.

COMPLIANCE STATUS

The facility is inspected once a year. There are no outstanding compliance issues.

EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The emission units at this facility consist of the following :

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
01**	S-2 through S-17	143 Thompson Sole Flue Non-Recovery Coke Ovens	45-55.1 tons/oven/48hrs input*	Common Tunnel Afterburners	02	PM ₁₀ , VOCs, CO	NSR Permit dated June 12, 2002
04	F2	Coal Handling	1200 tons/hr input	N/A	N/A	N/A	NSR Permit dated June 12, 2002
05	S-18, S-19, S-20, F-15	Coal Charging	1200 tons/hr input	3 - Donaldson Torit Baghouses	03, 04, 05	PM ₁₀	NSR Permit dated June 12, 2002
06	F3	Coke Pushing	825 tons/hr input	Shed	10	PM ₁₀	NSR Permit dated June 12, 2002
07	S-21, S-22	Coke Quenching	825 tons/hr input	Qench Tower Baffles	06, 07	PM ₁₀	NSR Permit dated June 12, 2002
08	F6	Coke Handling	825 tons/hr input	N/A	N/A	N/A	NSR Permit dated June 12, 2002
09	F7, S-23	Coke Processing	825 tons/hr input	1 - Donaldson Torit Baghouse	08, 09	PM ₁₀	NSR Permit dated June 12, 2002
13	S-1	Heyl & Patterson Model 135 Thermal Dryer	600 tons/hr input	Research Cottrell Venturi Scrubber	S-1	PM ₁₀ , SO ₂	NSR Permit dated June 12, 2002
25	F18	Coal Crushing -Cage Paktor Coal Pulverizer	600 tons/hr input	N/A	N/A	N/A	NSR Permit dated June 12, 2002

*Charging rate may vary.

**Oven Batteries 3B, 3C, 2D, 2E, 3F, and 3G.

EMISSIONS INVENTORY

The 1996 permit application emission inventory is shown below. Emissions are also summarized in the Title V permit application.

1996 Actual Emissions

Emission Unit	Criteria Pollutant in tons/year					
	VOC	CO	SO ₂	PM ₁₀	NO _x	Lead
01	1.3	22.8	4869.6	518.6	456.8	4.56
04	-	-	-	13.1	-	-
05	-	-	-	4.0	-	-
06	37.8	34.3	48.0	122.1	9.3	0.03
07	-	-	-	24.5	-	-
08	-	-	-	6.2	-	-
09	-	-	-	8.2	-	-
13	30.8	1.7	2.8	26.3	33.4	0.33
25	-	-	-	0	-	-
Total	69.9	58.8	4920.4	723.0	499.5	4.9

EMISSION UNIT APPLICABLE REQUIREMENTS - Coke Manufacture

Limitations

The following applicable limitations are BACT and MACT requirements from Conditions 3, 6, 8, 9, 11, 15, 17, 18, 19, and 24 of the minor NSR permit dated June 12, 2002:

Condition 3, which states that the particulate, VOC, and CO emissions shall be controlled by sole flues, common waste heat tunnels/afterburners, and good combustion practices.

Condition 6, which states that backdraft fugitive emissions from the charging of each of the ovens at batteries 3C, 2D, 2E, 3F and 3G shall be controlled by a collection apparatus (hood or equivalent) utilizing a Donaldson Torit cartridge filtration system or equivalent.

Condition 8, which limits the particulate, sulfur dioxide, nitrogen oxides, and lead hourly emissions from operation of the 143 ovens based on the number of ovens operating and the charge tonnage.

Condition 9, which limits the number of ovens operating at the facility to 143.

Condition 11, which limits total emissions from the operation of the thermal dryer and 143 ovens at maximum coal consumption, calculated monthly as the sum of each consecutive 12 month period.

Condition 15, which limits the consumption of coal for the plantwide coking process, calculated monthly as the sum of each consecutive 12 month period..

Condition 17, which states that visible emissions from each backdraft filter exhaust shall not exceed ten (10) percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).

Condition 18, which establishes compliance requirements to meet the hourly emissions set forth in Condition 8.

Condition 19, which requires performance testing when any set of at least nine (9) ovens are operated on a 72-hour charge cycle for 30 consecutive days or more.

Condition 24, which states recordkeeping requirements for the coking process.

The following MACT Standards (CFR) that have specific emission requirements for Non-Recovery Coke Oven Batteries are also applicable:

40 CFR 63, Subparts A and L, National Emission Standards for Coke Oven Batteries

Monitoring

The monitoring requirements in Conditions 6, 9 and 17 of the NSR permit dated June 12, 2002, have been modified to meet Part 70 requirements. The Battery 3B ovens are exempt from the requirement for a collection hood for charging emissions. The Battery 3B ovens were constructed/installed in May 1989.

- a. For compliance with visible emissions, the permittee shall perform the following: (Conditions 6 and 17)
 - (1) The permittee shall meet the requirements of 40 CFR 63.303(a)(1) by (a) 0.0 percent leaking coke oven doors as defined by the procedures in 40 CFR 63.309(d)(1); or, (b) the permittee shall monitor and record, once per day for each day of operation, the direction of air flow in each oven or common battery tunnel to ensure that the ovens are operated under negative pressure;
 - (2) For charging operations, provide an emissions control system for minimizing emissions from the charging operations (40 CFR 63.303(b)(2));
 - (3) Have an emissions control work practice plan per 40 CFR 63.306; and
 - (4) Provide reporting and recordkeeping requirements per 40 CFR 63.311.
- b. No monitoring is required for Condition 9 of the NSR draft permit modification.

Recordkeeping

The recordkeeping requirements in Conditions 8, 15, 18, and 24 of the NSR permit dated June 12, 2002, have been modified to meet Part 70 requirements.

- a. Recording of the coal charge per oven on a daily, monthly and annual basis. (Conditions 8, 18 and 24)
- b. Maintain records of coal shipments purchased, indicating sulfur, ash, volatile, and moisture content per shipment. (Conditions 18 and 24)
- c. Maintain coke analysis data indicating moisture, sulfur, and volatile content. (Condition 24)
- d. Monthly average of sulfur content of coal charged to the ovens. (Conditions 8, 18 and 24)
- e. Total number of operating and non-operating ovens each month. (Conditions 8, 18 and 24)
- f. The total number of operating hours per month for each oven. (Conditions 8, 18 and 24)
- g. The number of cumulative days each oven is operating at 50 tons or more of coal charges. (Conditions 8, 18 and 24)
- h. Annual emissions of sulfur dioxide, which shall be calculated monthly as follows:

$$\text{SO}_2 \text{ (T/yr)} = 0.006057 \times (\%S) \times [\text{charge tonnage} - (9.92 \times \text{dryer hours})]$$

Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period.

(Conditions 8, 18 and 24)

- i. Annual emissions for the remaining criteria pollutants in this permit shall be calculated using the annual coal charge and the pollutant-specific emission factors (based on performance testing) for both Battery 3B and the other oven batteries. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period.
(Condition 24)
- j. The permittee shall calculate the hourly emissions as a monthly average using a spreadsheet format. The permittee shall use operational data as required by Condition 24 of the NSR permit to demonstrate compliance with each pollutant as limited in Condition 8 of NSR Permit. (Condition 24)
- k. Results of any performance testing for the batteries, if required. (Condition 18)
- l. Record the daily, monthly and yearly coke production. (Condition 24)
- m. Record the yearly consumption of coal for coke production, calculated monthly as the sum of each consecutive 12-month period. (Condition 15)

Testing

At such time that any set of at least nine (9) ovens are operated on 72-hour charge cycles for 30 consecutive days or more, performance tests shall be conducted for particulate matter, sulfur dioxide, and nitrogen oxides from representative stacks on the ovens to determine compliance with the emission limits contained in condition 8 of the NSR permit dated 9/14/01. For batteries that provide heat to the thermal dryer, the tests shall be conducted while the thermal dryer is not in operation and no waste heat is being recovered from any oven in the battery and while each oven is operating on 72-hour charge cycles. Details shall be arranged with the Director, Southwest Regional Office. (Condition 19)

Streamlined Requirements

The following conditions in the NSR permit dated 6/12/02 have not been included for the reasons provided:

Condition 21, concerning submission of performance testing dates for the 72-hour charge cycle condition. This requirement will be included in the "Testing" section.

EMISSION UNIT APPLICABLE REQUIREMENTS - Thermal Dryer

Limitations

The following applicable limitations are requirements from Conditions 7, 10, 12, 13, and 20 of the minor NSR permit dated June 12, 2002:

Condition 7, which states that sulfur dioxide and particulate matter emissions from the operation of the Reyland Patterson thermal coal dryer shall be controlled by operation of a high energy venturi scrubber.

Condition 10, which states that emissions from the operation of the thermal coal dryer shall not exceed specified hourly and annual limits, calculated monthly as the sum of each consecutive 12 month period..

Condition 12, which states that, in no event, shall the dryer be operated less than a calculated number of hours per year, based on the amount of coal charged, calculated monthly as the sum of each consecutive 12 month period..

Condition 13, which states that the approved fuel for the Reyland Patterson thermal coal dryer is waste heat from the operation of coke ovens at battery 2E.

Condition 20, which states that the thermal coal dryer is to be operated in compliance with federal emission requirements under 40 CFR, Part 60, Subpart Y, Standards of Performance for Coal Preparation Plants.

Monitoring and Recordkeeping

The monitoring and recordkeeping requirements in Conditions 7, 12, 13, and 20 of the NSR permit dated 6/12/02 have been modified to meet Part 70 requirements.

- a. Continuously monitor and record for each hour of operation, the pH of the venturi scrubber liquid. The pH of the scrubber liquid shall be maintained at an average level not less than 7.5. (Condition 7)
- b. Continuously monitor the temperature of the gas stream exiting the thermal dryer. The temperature monitoring device shall be certified by the manufacturer to be accurate within $\pm 3^{\circ}\text{F}$. (Condition 20)
- c. Continuously monitor and record for each hour of operation, the pressure drop through the scrubber. The monitoring device shall be certified by the manufacturer to be accurate within ± 1 inch water gauge. (Condition 20)

- d. Continuously monitor and record for each hour of operation, the water supply pressure to the scrubber. The monitoring device is to be certified by the manufacturer to be accurate within ± 5 percent of design water supply pressure. (Condition 20)
- e. The monitoring devices in Items a through d above are to be recalibrated annually.
- f. Determine and record the hours of dryer operation, calculated monthly as the sum of each consecutive 12 month period. (Condition 12)
- g. No monitoring is required for Condition 13 of the NSR permit.
- h. For Items c and d above, the permittee shall establish a normal operating range of data so that any deviations or malfunctions can be determined.
- i. The permittee shall maintain records for Items a, c, d, e, and f above.

Testing

The requirements in Items a. through e. above are in lieu of performance testing.

EMISSION UNIT APPLICABLE REQUIREMENTS - Coal Handling and Crushing - Thermal Dryer

Limitations

The following applicable limitations are State BACT requirements from Condition 5 of the minor NSR permit dated June 12, 2002:

Condition 5, which states that fugitive particulate emissions from the Cage Paktor coal pulverizer shall be controlled by enclosure and a recirculating air duct.

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

9 VAC 5-50-410, Designated Standards of Performance, Subpart Y

Monitoring and Recordkeeping

The monitoring and recordkeeping requirements in Condition 5 of the NSR permit dated 6/12/02 have been modified to meet Part 70 requirements.

- a. The permittee shall perform a visible emission observation on the coal handling equipment supplying coal to the thermal dryer. The visible emission observation shall be performed for a brief period of time to identify the presence of visible emissions. After the initial visible emissions check, a semi-annual visible emission observation shall be performed to ensure proper equipment operation. If, during any visible emission observation, visible emissions are observed (condensed water vapor/steam is not a visible emission), a visible emissions evaluation (VEE) shall be conducted using 40 CFR Part 60, Appendix A, Method 9 for six minutes. If the opacity average is less than 20%, no action shall be required. If the average opacity is 20% or higher, modifications and/or repairs shall be performed to correct the problem. If such correction action fails to correct the problem a VEE using 40 CFR Part 60, Appendix A, Method 9, shall be conducted for 18 minutes to determine compliance with the opacity limit. (Subpart Y)
- b. Compliance with particulate emissions from the Cage-Paktor pulverizer shall be determined by ensuring that the recirculating air system is maintained and operating properly when the pulverizer system is operating. Opacity shall be less than 20%. (Condition 5 of NSR permit dated 6/12/02)
- c. Maintain maintenance records for the air recirculating system for the Cage-Paktor pulverizer. (Condition 5 of NSR permit dated 6/12/02)
- d. Maintain records of visible emission checks and any resulting modifications and/or repairs required. (40 CFR 60, Subpart Y)

PLANT WIDE APPLICABLE REQUIREMENTS

Limitations

The following applicable limitations are State BACT requirements from Conditions 4 and 16 of the minor NSR permit dated June 12, 2002:

Condition 4, which states that particulate matter emissions from pushing coke, hot coke handling, and coke quenching shall be controlled by a coke side enclosure and a baffled quench tower using cleaned water and fresh water make-up.

Condition 16, which state that visible emissions from all coke oven exhaust stacks at the facility, the charging of all ovens at the facility, the thermal coal dryer exhaust stack, and the Cage-Paktor coal pulverizer shall not exceed twenty (20) percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.

The following Virginia Administrative Codes that have specific emission requirements have

been determined to be applicable:

9 VAC 5-50-410, Designated Standards of Performance, Subpart Y

The following standard is also applicable:

40 CFR 63, Subpart L, MACT Standard for Coke Ovens

Monitoring and Recordkeeping

The monitoring and recordkeeping requirements in Conditions 4 and 16 of the NSR permit dated 6/12/02 have been modified to meet Part 70 requirements.

1. The permittee shall perform a visible emission observation on the coke oven battery stacks once each week during each week when there is operation. The visible emission observation shall be performed for a brief period of time to identify the presence of visible emissions. If, during any visible emission observation, visible emissions are observed (condensed water vapor/steam is not a visible emission), a visible emissions evaluation (VEE) shall be conducted using 40 CFR 60, Appendix A, Method 9, for six minutes. If the opacity average is 20% or less, no action shall be required. If the opacity average is higher than 20%, modifications and/or repairs shall be performed to correct the problem. If such correction action fails to correct the problem a VEE using 40 CFR Part 60, Appendix A, Method 9 shall be conducted for 18 minutes to determine compliance with the opacity limit. (Condition 16 of NSR permit dated 6/12/02)
2. The permittee shall perform a visible emission observation on the thermal dryer exhaust once each week during each week when there is operation. The visible emission observation shall be performed for a brief period of time to identify the presence of visible emissions. If, during any visible emissions observation, visible emissions are observed (condensed water vapor/steam is not a visible emission), a visible emissions evaluation (VEE) shall be conducted using 40 CFR 60, Appendix A, Method 9, for six minutes. If the opacity average is less than 20%, no action shall be required. If the opacity average is equal to or higher than 20%, modifications and/or repairs shall be performed to correct the problem. If such correction action fails to correct the problem a VEE using 40 CFR Part 60, Appendix A, Method 9 shall be conducted for 18 minutes to determine compliance with the opacity limit. (Condition 16 of NSR permit dated 6/12/02; and 40 CFR 60, Subpart Y)
3. The permittee shall perform a visible emission observation, during the first month after startup, on the Cage-Paktor coal pulverizer. The visible emission observation shall be performed for a brief period of time to identify the presence of visible emissions. After the initial visible emission observation, semi-annual visible emission observations shall be

performed to ensure proper equipment operation. If, during any visible emission observation, visible emissions are observed (condensed water vapor/steam is not a visible emission), a visible emissions evaluation (VEE) shall be conducted using 40 CFR 60, Appendix A, Method 9, for six minutes. If the opacity average is less than 20%, no action shall be required. If the opacity average is 20% or higher, modifications and/or repairs shall be performed to correct the problem. If such correction action fails to correct the problem a VEE using 40 CFR Part 60, Appendix A, Method 9 shall be conducted for 18 minutes to determine compliance with the opacity limit. (Condition 16 of NSR permit dated 6/12/02; and 40 CFR 60, Subpart Y)

4. Compliance with particulate emissions from pushing coke, hot coke handling, and coke quenching shall be determined by ensuring that the quench tower/recirculating water system are in proper working order. The permittee shall maintain maintenance records for the quench tower/recirculating water system. (Condition 4 of NSR permit dated 6/12/02)
5. Compliance with visible emissions from the charging of all ovens at the facility shall be determined by following the procedures in the emissions control work practice plan per 40 CFR 63.306. (Condition 16 of NSR permit dated 6/12/02)
6. The permittee shall maintain records of the requirements in Items 1-4 above.

FACILITY WIDE APPLICABLE REQUIREMENTS

Limitations

Jewell Coke is subject to the 40 CFR 63, Subpart L, National Emission Standards for Coke Oven Batteries (Coke Oven MACT), for nonrecovery coke oven batteries. Applicable limitations from the Coke Oven MACT have been included in the permit. Being subject to the Coke Oven MACT means that Jewell Coke is also subject to 40 CFR 63 Subpart A, General Provisions. Any applicable limitations from the general provisions have also been included in the permit.

Monitoring and Recordkeeping

The Coke Oven MACT for nonrecovery coke ovens contains requirements for monitoring and recordkeeping for compliance. These requirements have been incorporated into the permit.

Reporting

The Coke Oven MACT for nonrecovery coke ovens requires that the source report compliance certification semiannually. These requirements have been included in the permit and will be submitted concurrently with the reporting requirements contained in 9 VAC 5-80-110.

Streamlined Requirements

The initial notification requirements; preparation and submission of the emission control work practices plan; implementation of the work practices plan; and the initial compliance certification and notification associated with the Coke Oven MACT have not been included in the permit because the source has already completed these requirements.

Miscellaneous

The Battery 3B ovens are exempt from the requirement for a collection hood for charging emissions. The Battery 3B ovens were constructed/installed in May 1989.

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110, that apply to all Federal operating permit sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions, including those caused by upsets, within one business day.

Comments on General Conditions

B. Permit Expiration

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit applications has been delegated to the Regions as allowed by §§2.1-20.01:2 and ' §10.1-1185 of the *Code of Virginia*, and the “Department of Environmental Quality Agency Policy Statement No. 3-2001”.

This general condition cites the entire Articles that follow:

B.2. Article 1 (9 VAC 5-80-50 et seq.), Part II of 9 VAC 5 Chapter 80. Federal Permits for Stationary Sources

B.3. Article 1 (9 VAC 5-80-50 et seq.), Part II of 9 VAC 5 Chapter 80. Federal Permits for Stationary Sources

This general condition cites the sections that follow:

- B. 9 VAC 5-80-80. “Application”
- B.2. 9 VAC 5-80-150. “Action on Permit Applications”
- B.3. 9 VAC 5-80-80. “Application”
- B.4. 9 VAC 5-80-80. “Application”
- B.4. 9 VAC 5-80-140. “Permit Shield”

B.5. 9 VAC 5-80-80. “Application”

INSIGNIFICANT EMISSION UNITS

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Insignificant emission units include the following:

Emission Unit No.	Emission Unit Description	Citation ¹	Pollutant Emitted (5-80-720 B.)	Rated Capacity (5-80-720 C.)
2	Coal Storage Pile #1	720B	PM10	N/A
3	Coal Storage Pile #2	720B	PM10	N/A
9	Transfer Point Dust Collector	720B	PM10	N/A
10	Coke Loadout	720B	PM10	N/A
11	Main Coke Storage Pile	720B	PM10	N/A
12	Blending Coke Storage Piles	720B	PM10	N/A
14	Quench Pit Sludge Storage Piles	720B	PM10	N/A
15	Coke Loadout Bin	720B	PM10	N/A
16	Breeze Storage Pile	720B	PM10	N/A
17	Breeze Loadout	720B	PM10	N/A

Emission Unit No.	Emission Unit Description	Citation ¹	Pollutant Emitted (5-80-720 B.)	Rated Capacity (5-80-720 C.)
18	Baghouse Dust Loadout	720B	PM10	N/A
19	Freeztrol 77	720C	VOC	6,000 gallon
20	No. 2 Fuel Oil	720C	VOC	10,000 gallon
21	Miscellaneous General Painting	720C	VOC	N/A
22	Caustic Soda	720C	N/A	10,000 gallon
23	Three Pusher Machine Emergency Generators	720C	NO _x , VOC, CO	N/A
24	General Emergency Generator	720C	NO _x , VOC, CO	N/A

¹The citation criteria for insignificant activities are as follows:

9 VAC 5-80-720 A - Listed Insignificant Activity, Not Included in Permit Application

9 VAC 5-80-720 B - Insignificant due to emission levels

9 VAC 5-80-720 C - Insignificant due to size or production rate

PUBLIC PARTICIPATION

The proposed permit was placed on public notice in the The Virginia Mountaineer from July 4, 2002 to August 4, 2002. No public comments were received on the draft permit. EPA submitted comments on August 1, 2002. Resolution of these comments was prepared and submitted to the EPA along with the proposed permit on August 16, 2002. The proposed permit was approved for issuance by the EPA on October 2, 2002. The permit was issued on October 4, 2002.

On October 28, 2002, Jewell Coke Company requested a clarification to the visible emissions monitoring requirements in Sections V.B.2, VI.B.1., VI.B.2., and VI.B.3. The permit was drafted

to reflect this modification. DEQ solicited written public comments on this modification by placing a newspaper advertisement in the Virginia Mountaineer on December 12, 2002. The thirty day comment period ended on January 12, 2003, with no comments having been received by this office. The modified permit was approved for issuance by the EPA on March 3, 2003.